

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

ALVIN MARSHALL WARNER,

Plaintiff,

v.

ACTION NO. 2:17cv36

NANCY A. BERRYHILL,
Acting Commissioner of
Social Security,

Defendant.

FINAL ORDER

Plaintiff Alvin Marshall Warner, by counsel, brought this action seeking judicial review of the final decision of the Acting Commissioner of the Social Security Administration denying his claim for Supplemental Security Income ("SSI") under the Social Security Act.


This matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. §§ 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure, as well as Rule 72 of the Local Rules of the United States District Court for the Eastern District of Virginia, for a report and recommendation. The Report and Recommendation of the Magistrate Judge was filed on January 24, 2018, recommending that Plaintiff's motion for summary judgment, ECF No. 10, be DENIED, Defendant's motion for summary judgment, ECF No. 12, be GRANTED, and that the final decision of the Acting

Commissioner be AFFIRMED, and that this matter be DISMISSED WITH PREJUDICE. By copy of the Report and Recommendation, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge. No objections were filed by either party and the time for filing said objections has expired.

Having reviewed the record, and finding no error, the Court hereby ADOPTS the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed on January 24, 2018, and the decision of the Acting Commissioner is AFFIRMED, Defendant's motion for summary judgment, ECF No. 12, is GRANTED, Plaintiff's motion for summary judgment, ECF No. 10, is DENIED, and this case is DISMISSED WITH PREJUDICE.

Plaintiff is ADVISED that he may appeal from this Final Order by forwarding a written notice of appeal to the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510. Said written notice must be received by the Clerk within sixty (60) days from the date of this Final Order.

The Clerk shall forward a copy of this Final Order to counsel of record for the parties.

/s/ 

Mark S. Davis
United States District Judge

Norfolk, Virginia
February 18, 2018